



STATE OF TEXAS *
 COUNTY OF HAYS *

ON THIS THE 22nd DAY OF JULY A.D., 2008, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ELIZABETH "LIZ" SUMTER	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
JEFFERSON W. BARTON	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
KAREN FORD	COMMISSIONER, PCT. 4
LIZ GONZALEZ	DEPUTY COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Conley led the court in the Pledge of Allegiance to the American Flag and the Texas Flag. Judge Sumter called the meeting to order.

25376 ADOPT A PROCLAMATION IN SUPPORT OF CYPRESS CREEK WEEK JULY 27TH THROUGH AUGUST 2ND, 2008 [T-23]

A motion was made by Judge Sumter and seconded by Commissioner Conley to adopt a proclamation in support of Cypress Creek week July 27th through August 2nd, 2008. All voting "Aye". MOTION PASSED

HURRICANE SHELTERING PRESENTATION TO THE COURT BY JEFF TURNER

[T1-105] Emergency Management Coordinator, Jeff Turner gave a power-point presentation on procedures regarding Hurricane sheltering. Jeff Turner spoke of training and screening volunteers both in Hays and Travis Counties.

PUBLIC COMMENTS

John Thomaides from San Marcos, spoke. Pam Sullivan from the Wimberley Valley, spoke. Andrew Backus Board President of Hays Trinity Groundwater Conservation District, spoke.

25377 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Barton and seconded by Commissioner Ford to approve payment of County Invoices for July 15,2008 in the amount of \$ 562,029.45 and for July 22, 2008 in the amount of \$612,808.68 as presented by the County Auditor. All voting "Aye". MOTION PASSED

25378 APPROVE COMMISSIONER COURT MINUTES OF JULY 8, 2008

A motion was made by Commissioner Barton and seconded by Commissioner Ford to approve Commissioner Court Minutes of July 8, 2008 as presented by the County Clerk. All voting "Aye". MOTION PASSED

25379 APPROVE CONTRACT RENEWAL FOR INMATE DENTAL SERVICES FOR AN ADDITIONAL TWO YEARS

A motion was made by Commissioner Barton and seconded by Commissioner Ford to approve contract renewal for inmate dental services for an additional two years. All voting "Aye". MOTION PASSED

25380 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SHORT-TERM LEASES OF DUNBAR COMMUNITY BUILDING AND VFW POST 6441 FOR OPEN ENROLLMENT PRESENTATION BY THE HUMAN RESOURCES DEPARTMENT

A motion was made by Commissioner Barton and seconded by Commissioner Ford to authorize the County Judge to execute short-term leases of Dunbar Community Building and VFW Post 6441 for open enrollment presentation by the Human Resources Department. All voting "Aye". MOTION PASSED



25381 APPROVE SPECIFICATIONS FOR BID #2008-B19 "CARPET & FLOOR CARE COUNTYWIDE" AND AUTHORIZE PURCHASING TO SOLICIT FOR BID AND ADVERTISE

A motion was made by Commissioner Barton and seconded by Commissioner Ford to approve specifications for Bid #2008-B19 "carpet & floor care countywide" and authorize Purchasing to solicit for bid and advertise. All voting "Aye". MOTION PASSED

25382 REJECT BID RECEIVED FOR BID #2008-B16 "HAULING OF SOLID WASTE" AND AUTHORIZE PURCHASING TO RE-BID

A motion was made by Commissioner Barton and seconded by Commissioner Ford to reject bid received for bid #2008-B16 "hauling of solid waste" and authorize Purchasing to re-bid. All voting "Aye". MOTION PASSED

25383 APPROVE RENEWAL OF BID #2006-B13 "HAULING SERVICES FOR ROAD DEPARTMENT" FOR ONE (1) ADDITIONAL YEAR AS PROVIDED FOR IN THE ORIGINAL BID

A motion was made by Commissioner Barton and seconded by Commissioner Ford to approve renewal of bid #2006-B13 "hauling services for Road Department" for one (1) additional year as provided for in the original bid. All voting "Aye". MOTION PASSED

25384 APPROVE OUT OF STATE TRAVEL REQUEST

This request is for a Sheriff's Dept. Detective on the Narcotics Task Force to attend out-of-state training in Las Vegas, Nevada (13th Annual Covert Ops Training Conference). A motion was made by Commissioner Barton and seconded by Commissioner Ford to approve out of state travel request. All voting "Aye". MOTION PASSED

Clerk's Note: Agenda Item #8 RE: APPROVE SPECIFICATIONS FOR RFP #2008-P15 MANAGEMENT SERVICES FOR IMPLEMENTATION OF THE TEXAS COMMUNITY DEVELOPMENT PROGRAM AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSAL AND ADVERTISE was PULLED

25385 CALL FOR A PUBLIC HEARING ON AUGUST 5, 2008 TO ESTABLISH TRAFFIC REGULATIONS ON ELLA LANE [T1- 700]

A motion was made by Commissioner Ford and seconded by Commissioner Conley to call for a public hearing on August 5, 2008 to establish traffic regulations on Ella Lane. All voting "Aye". MOTION PASSED

25386 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS ON MCGREGOR LANE (CR 187) [T1- 706]

Judge Sumter declared the public hearing open. No public comment was received and the public hearing was closed. A motion was made by Commissioner Ford and seconded by Commissioner Barton to establish traffic regulations of 40 mph speed limit on McGregor Lane (CR 187) between Hwy 290 and Barton Creek. All voting "Aye". MOTION PASSED

DISCUSSION REGARDING PRICE INCREASE FOR EMULSIONS FROM SEM, MATERIALS, INC

[T1-719] RTP Director Jerry Borcharding spoke of cost increase due to the rising costs of fuel. Special Counsel Mark Kennedy spoke of contract and terms.

25387 APPROVE THE PURCHASE OF A CRACK SEALER UNIT FOR THE ROAD & BRIDGE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$58,000 [T1-836]

RTP Director Jerry Borcharding spoke of equipment needs. A motion was made by Commissioner Conley and seconded by Commissioner Ford to approve the purchase of crack sealer unit for the Road & Bridge Department in an amount not to exceed \$58,000. All voting "Aye". MOTION PASSED



25388 [#08-2-31] **GREEN PASTURES SECTION 3 LOT 1 BLOCK 17 - APPROVAL OF SITE PLAN AND VARIANCE REQUEST** [T1-895]

Interim Subdivision Coordinator Clint Garza spoke of variance request. A motion was made by Commissioner Barton and seconded by Commissioner Ingalsbe to approve site plan and a variance to drainage for Lot 1 Block 17 Green Pastures Section 3. All voting "Aye". MOTION PASSED

The court convened into closed executive sessions regarding the following agenda item at 10:00 a.m. and reconvened into open meeting at 11:30 a.m.

EXECUTIVE SESSION PURSUANT TO SECTION 551.072, TEXAS GOVERNMENT CODE TO DISCUSS POSSIBLE ACQUISITION OF SPECIFIC TRACT(S) OF LAND FOR OPEN SPACE, WATER QUALITY PROTECTION, WATER ACCESS, HABITAT AND PARKS.

No discussion and no action taken.

25389 CO-SPONSOR WITH THE HILL COUNTRY CONSERVANCY (HCC) AN APPLICATION TO THE NATIONAL PARKS SERVICE FOR A RIVERS, TRAILS AND CONSERVATION ASSISTANCE PROGRAM GRANT FOR DAHLSTROM RANCH

[T1-1032] George Cofer spoke. A motion was made by Commissioner Barton and seconded by Commissioner Ingalsbe to co-sponsor with the Hill Country Conservancy (HCC) an application to the National Parks Service for a rivers, trails and conservation assistance program grant for Dahlstrom Ranch. All voting "Aye". MOTION PASSED

The court convened into closed executive sessions at 1:30 p.m. and reconvened into open meeting at 2:35 p.m.

EXECUTIVE SESSION PURSUANT TO SECTION 551.072 AND 551.073, TEXAS GOVERNMENT CODE, TO DISCUSS THE POSSIBLE ACQUISITION OF SPECIFIC TRACT(S) OF LAND FOR PARKS, OPEN SPACE, AND/OR WATER QUALITY PROTECTION IN HAYS COUNTY

No discussion and no action taken.

25390 DEDICATE A TOTAL OF \$3,100,000 TO THE CITY OF SAN MARCOS COMBINED PARK IMPROVEMENTS PROJECT IN PARTNERSHIP WITH THE CITY OF SAN MARCOS. (\$1.6 FROM FUNDS DEDICATED TO OPEN SPACE AND \$1.5 FROM FUNDS DEDICATED TO RECREATIONAL)

[T1-1100] Rodney Cobb of San Marcos, spoke. Bill Nicholson gave a power-point presentation. Susan Narvaiz, City of San Marcos Mayor, spoke. Chris North member of CPAT, spoke. Todd O. Derkacz a member of CPAT, spoke. A motion was made by Commissioner Conley and seconded by Commissioner Ingalsbe to dedicate a total of \$3,100,000 to the City of San Marcos combined park improvements project in partnership with the City of San Marcos (\$1.6 from funds dedicated to open space and \$1.5 from funds dedicated to recreational). Commissioner Ingalsbe, Commissioner Barton, and Commissioner Conley voting "Aye". Commissioner Ford and Judge Sumter voting "No". MOTION PASSED

25391 APPROVE VALUE ENGINEERING CREDITS AND COST PROPOSAL REQUESTS REGARDING PCT 4 OFFICE BUILDING [T1-2442]

David Fusilier of Naismith Engineering spoke. A motion was made by Commissioner Ford and seconded by Commissioner Conley to approve \$25,999 to support the change order log and the two A&E items regarding Pct 4 Office Building. All voting "Aye". MOTION PASSED

25392 [#08-3-34, 77 LOTS] **MUSTANG VALLEY SUBDIVISION- APPROVE PRELIMINARY PLAN**

[T1-2863] Jim McMeans of Citizens Alliance for Responsible Development, spoke. Alex Broun of the Hays Trinity Groundwater Conservation District, spoke. Russell Hines spoke. Matt McCormick spoke. Interim Subdivision Coordinator Clint Garza gave staff recommendation. A motion was made by Commissioner Conley and seconded by Commissioner Barton to approve preliminary plan for Mustang Valley Subdivision. Commissioner Ingalsbe, Commissioner Barton, Commissioner Conley voting "Aye". Commissioner Ford, Judge Sumter voting "No". MOTION PASSED

DISCUSSION ON SELECTION OF ARCHITECT FOR ARCHITECTURAL SERVICES FOR JAIL EXPANSION

[T2-515] Brad Robinson spoke. Court will have future workshops to discuss the top two architectural firms and the criteria that the Sheriff's Office requires for the jail expansion.



DISCUSSION REGARDING THE GOVERNMENTAL COMPLEX IN WIMBERLEY (I.E. THE BAPTIST CHURCH FACILITY) [T2-654]

Charlie Johnson spoke in support of the Governmental Complex in Wimberley. Commissioner Conley spoke of different offices that would house in this facility (ie. Tax Office, Sheriff's Office). Commissioner Conley spoke of improvements needed and cost to the County.

25393 AUTHORIZE COMMISSIONER BARTON AND COMMISSIONER INGALSBE TO NEGOTIATE WITH ONE OF THE PRE-SELECTED ROW FIRMS ON THE STATE PASS THROUGH LIST WITH THE INTENT TO SELECT A FIRM AND PREPARE A RECOMMENDED CONTRACT FOR APPROVAL BY THE COURT, FOR WORK ON INTERSTATE 35 AND RELATED PROJECTS [T2-1194]

A motion was made by Commissioner Barton and seconded by Commissioner Ingalsbe to authorize Commissioner Barton and Commissioner Ingalsbe to negotiate with one of the pre-selected ROW Firms on the State pass Through list with the intent to select a firm and prepare a recommended contract for approval by the court, for work on Interstate 35 and related projects. All voting "Aye". MOTION PASSED

25394 [#08-4-32, 2 LOTS] **HIGHLANDS, SECTION A LOT 39 RESUBDIVISION – PUBLIC HEARING AND APPROVAL OF FINAL PLAT** [T2-1669]

Judge Sumter declared the public hearing open. No public comment was received and the public hearing was closed. Interim Subdivision Coordinator Clint Garza gave staff Recommendation for final plat approval. A motion was made by Commissioner Ford and seconded by Commissioner Barton to approve the final plat for "Highlands Section A Resubdivision of Lot 39". All voting present "Aye". MOTION PASSED

25395 [#08-3-37] **RANCHO ENCINO PHASE I REPLAT LT 67 & 68 – WAIVE PRELIMINARY PLAN APPROVAL AND APPROVE FINAL PLAT** [T2-1692]

Interim Subdivision Coordinator Clint Garza gave staff recommendation for final plat approval. A motion was made by Commissioner Conley and seconded by Commissioner Barton to waive preliminary plan approval and approve final plat for "Rancho Encino Phase I Replat of Lots 67 & 68". All voting "Aye". MOTION PASSED

25396 [#08-3-17, 5 LOTS] **BURNETT RANCH RESUBDIVISION LOT 34 – APPROVE PRELIMINARY PLAN AND CALL FOR A PUBLIC HEARING ON AUGUST 5, 2008**

[T2-1735] Interim Subdivision Coordinator Clint Garza gave staff recommendation. A motion was made by Commissioner Conley and seconded by Commissioner Barton to approve preliminary plan for "Burnett Ranch Resubdivision of Lot 34" and call for a public hearing on August 5, 2008. All voting "Aye". MOTION PASSED

25397 [#06-4-26, 69 LOTS] **HIGHPOINTE PHASE 4 SECTION 1 – APPROVE FINAL PLAT AND ACCEPT A ONE YEAR EXTENSION OF FISCAL SURETY** [T2-1847]

Interim Subdivision Coordinator Clint Garza gave staff recommendation for approval. A motion was made by Commissioner Ford and seconded by Judge Sumter to approve final plat of "HighPointe Phase 4 Section 1" and approve a one (1) year extension on the Fiscal Surety. All voting "Aye". MOTION PASSED

25398 [#08-2-36, 6 LOTS] **CARL DIETZ RE-SUBDIVISION SECTION 2 – APPROVE PRELIMINARY PLAN** [T2-1879]

Interim Subdivision Coordinator Clint Garza gave staff recommendation for approval. A motion was made by Commissioner Conley and seconded by Commissioner Ingalsbe to approve preliminary plan for "Carl Dietz Resubdivision Section 2". All voting "Aye". MOTION PASSED

25399 [#06-4-80, 135 LOTS] **HIGHPOINTE PHASE 5– CONSIDER APPROVE PRELIMINARY PLAN** [T2-1964]

Interim Subdivision Coordinator Clint Garza gave staff recommendation for approval. A motion was made by Commissioner Ford and seconded by Commissioner Ingalsbe to approve preliminary plan for HighPointe Phase 5. All voting "Aye". MOTION PASSED



25400 [#08-4-22] **GLENN KOTHMANN RESUBDIVISION OF LOT 49 – APPROVE FINAL PLAT**

[T2-1992] Interim Subdivision Coordinator Clint Garza gave staff recommendation for approval. A motion was made by Commissioner Ford and seconded by Commissioner Barton to approve final plat of “Glenn Kothmann Resubdivision of lot 49”. All voting “Aye”. MOTION PASSED

25401 [#08-4-35, 1 LOTS] **HIGHPOINTE PHASE 2 SECTION 2-A BLK C LOT 7 REPLAT-WAIVE PRELIMINARY PLAN APPROVAL AND APPROVE FINAL PLAT** [T2-2008]

Interim Subdivision Coordinator Clint Garza gave staff recommendation for approval. A motion was made by Commissioner Ford and seconded by Commissioner Barton to waive preliminary plan approval and approve final plat of “Lot 7 Block C HighPointe Phase 2 Section 2-A”. All voting “Aye”. MOTION PASSED

25402 **AUTHORIZE THE COUNTY JUDGE TO REQUEST FUNDS FROM THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS ASSOCIATED WITH UNCLAIMED CAPITAL CREDITS RECEIVED FROM ELECTRIC COOPERATIVES AND TO CERTIFY THAT USE OF THE FUNDS WILL BE FOR A PROGRAM AS SPECIFIED UNDER LOCAL GOVERNMENT CODE, SECTION 381.004**

[T2-2062] A motion was made by Judge Sumter and seconded by Commissioner Barton to authorize the County Judge to request funds from the Texas Comptroller of Public Accounts associated with unclaimed capital credits received from electric cooperatives and to certify that use of the funds will be for a program as specified under Local Government Code, Section 381.004. All voting “Aye”. MOTION PASSED

DISCUSSION TO REQUEST ADDITIONAL SERVICES FROM TP:/SANDRA TASSEL WITH REGARD TO DEVELOPMENT OF POLICIES AND PROCEDURES TO FURTHER GUIDE THE PARKS AND OPEN SPACE BOND INVESTMENT AND TO UPDATE OR REVISE TO THE HAYS COUNTY PARKS AND OPEN SPACE MASTER PLAN

[T2-2094] Commissioner Ford spoke of possible tasks that we might ask Sandra Tassel to do, and other tasks that we could do ourselves.

Clerk’s Note: Agenda item # 29 RE: DISCUSSION AND POSSIBLE ACTION TO ACCEPT A GRANT AWARD UNDER THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH THE OFFICE OF RURAL COMMUNITY AFFAIRS was PULLED

DISCUSSION TO ADOPT A REIMBURSEMENT RESOLUTION FOR EXPENDITURES ASSOCIATED WITH PROGRAMMING, DESIGN AND CONSTRUCTION OF A HAYS COUNTY GOVERNMENT CENTER, THE ANTICIPATED BOND ISSUE ASSOCIATED WITH SAID PROJECT BEING FIFTY MILLION DOLLARS (\$50,000,000.00 USD)

[T2-2342] Commissioner Ingalsbe spoke of possibly needing to pass a resolution for soft costs. Special Counsel Mark Kennedy spoke soft costs as they relate to reimbursement resolutions. Mark Kennedy also spoke of when hard costs are expended we will need to sign a reimbursement resolution.

25403 **AUTHORIZE THE COUNTY JUDGE TO EXECUTE A HAYS COUNTY PURCHASE CONTRACT TO LINDA BARNUM ON BEHALF OF THE GEORGE BARNUM ESTATE FOR RIGHT-OF-WAY ACQUISITION ON MCCARTY LANE**

[T2-2466] A motion was made by Commissioner Ingalsbe and seconded by Commissioner Conley to authorize the County Judge to execute a Hays County Purchase Contract to Linda Barnum on behalf of the George Barnum Estates for Right-of Way acquisition on McCarty Lane. All voting “Aye”. MOTION PASSED

25404 **APPROVE BUDGET AMENDMENT 08-20**

[T2-2476] A motion was made by Judge Sumter and seconded by Commissioner Ford to approve Budget Amendment 08-20. All voting “Aye”. MOTION PASSED



25405 APPOINT PRISCILLA HARGRAVES AS INTERIM PERSONAL HEALTH DIRECTOR AND TO ADJUST SALARY WITHIN PROMOTION GUIDELINES

[T2-2538] A motion was made by Commissioner Conley and seconded by Commissioner Ingalsbe to appoint Priscilla Hargraves as Interim Personal Health Director and to adjust salary within promotion guidelines. All voting "Aye". MOTION PASSED

25406 SET SPECIFIC DATES AND TIMES TO HOLD FY2009 BUDGET WORKSHOPS

[T2-2552] Discussion was had over how many days to hold budget workshops. Three workshops are needed. A motion was made by Judge Sumter and seconded by Commissioner Barton to set Budget Workshops to be held on August 1, 2008 from 1:00 pm to 5:00 pm; August 5, 2008 from 1:30 to 5:30 pm; August 8, 2008 from 9:00 am to 4:00 pm. All voting "Aye". MOTION PASSED

DISCUSSION REGARDING WAGE AND SALARY BENCHMARKS, COMPARABLE COUNTIES, AND STATUS OF RECOMMENDATIONS FROM HUMAN RESOURCES

[T2-2835] Discussion was had over the survey of different counties throughout the state. Judge Sumter had a survey that included counties of a population of 150 – 250 thousand people. Hays County population is in the 140,000 range. These only included the elected officials.

Clerk's Note: Agenda item #43 RE: EXECUTIVE SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE TO DISCUSS PERFORMANCE REVIEW OF RPTP DIRECTOR was PULLED

Court was adjourned this the 22nd day of JULY, 2008.

I, LINDA C. FRITSCHÉ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on JULY 22, 2008.



**LINDA C. FRITSCHÉ, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS**

